

DECLARATION AND POWER OF ATTORNEY



As a below named inventor, I hereby declare as follows:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

WALKING BEAM ROLLER APPARATUS

Case No. P9903, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I do not know and do not believe that this invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that this invention was in public use or on sale in the United States of America more than one year prior to this application. I believe that this invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application. I believe that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

I hereby appoint Anne K. Burkhardt (Registration No. 35,280) and Patrick N. Burkhardt (Registration No. 33,352), of 940 DAKOTA AVE., WHITEFISH, MONTANA, 59937 telephone No. (406) 862-1187, as my Agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be sent to:

Burkhardt & Burkhardt

Registered U.S. Patent Attorneys

940 Dakota Ave.

Whitefish, Montana 59937

I hereby declare that: All statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; And, such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Allen Otto

Inventor's signature: Allen Otto

Date: 4-7-99

Residence: Big Sandy, MT

Citizenship: U.S.

Post Office Address: P.O. Box 447, Big Sandy, MT 59520

A.O. Full name of inventor: Jerry Otto

4.O. Inventor's Signature: Jerry Otto

Date 4-7-99

Residence: Hayre, MT

Applicant: ALLAN OTTO

Docket No. : P9903

For: WALKING BEAM ROLLER APPARATUS



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) and 1.27(b) — INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in the specification filed herewith, with title as listed above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

I have neither assigned, granted, conveyed, or licensed nor am I under an obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person, concern, or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Allan Otto
Name of Inventor

Signature of Inventor

Date

Jerry Otto
Name of Inventor

Jerry Otto
Signature of Inventor

4 - 7 - 1999
Date